GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:223
ANSWERED ON:30.11.2015
EPF Defaulters
Ashok Kumar Shri K.

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)whether the Employees Provident Fund Organisation (EPFO) has launched prosecution cases against defaulting employers for non-submission of returns on time;
(b)if so, the details thereof during each of the last three years and the current year;
(c)whether the EPFO has also asked its Regional Offices to take stringent action against such defaulting employers; and
(d)if so, the details of action taken in this regard?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) & (b): Yes, Madam. Prosecution is launched by Employees' Provident Fund Organisation (EPFO) if the establishments violate the provisions of Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952.
The details of number of prosecution cases filed by EPFO during the last three years and the current year are as under:-

Year	No. of Prosecution Cases
2012-13	317
2013-14	414
2014-15	1491
Current Year upto September, 2015	1401

Contdâ€¦ 2/-

(c) & (d): Regional Offices of EPFO are required to take action against defaulting establishments by causing inspection for securing compliance and launching other stringent action as given below:
i. Action under Section 7A of the EPF & MP Act, 1952 for quantification of Provident Fund dues and raising demand against defaulters.
ii. Recovery action as provided under Section 8B to 8G of the EPF & MP Act, 1952.
iii. Action under Section 14 for prosecution of defaulters before the court of law.
iv. Action under Section 14B for levying penal damages for belated remittances.
v. Action under Section 7Q for levy of interest for belated remittances.
vi Action under Section 406/409 of Indian Penal Code (IPC) for non-payment of employees' share deducted from the wages but not deposited.

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